

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, DECEMBER 06, 2005**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Deb Schorr, Vice Chair  
Ray Stevens  
Bob Workman

Commissioners Absent: Larry Hudkins, Chair  
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 29, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on November 29, 2005. Schorr, Stevens and Workman voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. Southeast Community College Annual Report - Jack Huck, President**

Item to be rescheduled on the Board of Commissioners agenda for January 10, 2006.

**B. Presentation of the County-City Volunteer of the Month Award to Alene Swinehart for her services with Urban Development.**

This item to be rescheduled on the Board of Commissioners agenda for December 13, 2005 at the request of Aging Services Volunteer Program.

2) **SPECIAL PRESENTATIONS CONTINUED:**

C. The Commissioners' Award of Excellence for November, 2005 was presented to Gregory Goodwater, Deputy Sheriff.

3) **CLAIMS:** Approval of all claims processed through Tuesday, December 06, 2005.

**MOTION:** Workman moved and Stevens seconded approval of all claims processed through December 6, 2005. Stevens, Workman and Schorr voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. **Application of setback requirements in the Lancaster County Zoning Regulations to any building used as a residence on a farmstead of 20 acres or more effective January 1, 2006. (See New Business Item 6A for correlating documentation.)**

The Vice Chair asked if anyone wished to testify in favor, opposition or in a neutral position regarding the proposal.

No one appeared and the hearing was closed.

B. **Continuation of a public hearing regarding County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, for two lots and one outlot, on property generally located at North 176<sup>th</sup> and Holdrege Streets, and more specifically Knotting Drive and North 179<sup>th</sup> Street in Lancaster County, Nebraska. (See Old Business Items 5A and 5B for correlating documentation.)**

It was noted by the Clerk that a request from Kent Seacrest, attorney representing applicants, requested a 60 day delay.

The Vice Chair asked if anyone wished to testify regarding the proposal.

No one appeared and the public hearing for County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, was delayed for 60 days.

5) OLD BUSINESS:

- A. A resolution in the matter of County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Bernie and Connie Heier, consisting of two lots and one outlot, on property generally located at North 176<sup>th</sup> and Holdrege Streets, more specifically Knotting Drive and North 179<sup>th</sup> Street in Lancaster County, Nebraska. (R-05-0152)
- B. A subdivision agreement with Bernie and Connie Heier, for County Final Plat No. 05094, Wyndam Place 2<sup>nd</sup> Addition, on property generally located at North 176<sup>th</sup> and Holdrege Streets, more specifically Knotting Drive and North 179<sup>th</sup> Street in Lancaster County, Nebraska. (C-05-0575)

Old Business Items 5A and 5B were delayed for 60 days.

- C. A contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$100,000 for the services. Term of the agreement is July 1, 2005 through June 30, 2006. (C-05-0503)

This item was held for one week at the request of the County Attorney's Office.

- D. A grant contract with the Hispanic Community Center for funding for the Open Door Program, in the amount of \$2,500. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0535)

**MOTION:** Workman moved and Stevens seconded approval of a grant contract with the Hispanic Community Center for funding for the Open Door Program, in the amount of \$2,500. Workman, Schorr and Stevens voted aye. Motion carried.

6) NEW BUSINESS:

- A. A resolution in the matter of an application of setback requirements of the Lancaster County Zoning Regulations to any building used as a residence on a farmstead of 20 acres or more, effective January 1, 2006. (R-05-0155)

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Workman seconded approval of Resolution 05-0155 in the matter of an application of setback requirements of the Lancaster County Zoning Regulations to any building used as a residence on a farmstead of 20 acres or more, effective January 1, 2006. Stevens, Workman and Schorr voted aye. Motion carried.

**B. A resolution in the matter of designating banks as depositories for Lancaster County for 2006. (R-05-0157)**

**MOTION:** Stevens moved and Workman seconded approval of Resolution 05-0157 in the matter of designating banks as depositories for Lancaster County for 2006. Schorr, Stevens and Workman voted aye. Motion carried.

**C. A resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-05-0158)**

**MOTION:** Workman moved and Stevens seconded approval of Resolution 05-0158 in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. Stevens, Schorr and Workman voted aye. Motion carried.

**D. A grant contract with Cedars Youth Services to assist in the general operations of the Community Integration Team, in the amount of \$11,370; the Minority Outreach Diversion Program, in the amount of \$3,427; the Juvenile Drug Court Tracker Program, in the amount of \$6,353; and the salaries for a full-time Diversion Director and part-time Teen Court Coordinator, in the amount of \$50,000. Total amount of the grant contract is \$71,150. Term of the grant contract is from July 1, 2005 to June 30, 2006. (C-05-0585)**

**MOTION:** Stevens moved and Workman seconded approval of a grant contract with Cedars Youth Services to assist in the general operations of the Community Integration Team, in the amount of \$11,370; the Minority Outreach Diversion Program, in the amount of \$3,427; the Juvenile Drug Court Tracker Program, in the amount of \$6,353; and the salaries for a full-time Diversion Director and part-time Teen Court Coordinator, in the amount of \$50,000. Total amount of the grant contract is \$71,150. Schorr, Stevens and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**E. A grant contract with Cedars Youth Services for a Juvenile Day Reporting Center, in the amount of \$52,000. Term of the grant contract is September 1, 2005 to August 30, 2006. (C-05-0586)**

**MOTION:** Workman moved and Stevens seconded approval of a grant contract with Cedars Youth Services for a Juvenile Day Reporting Center, in the amount of \$52,000. Workman, Schorr and Stevens voted aye. Motion carried.

**F. A grant contract with Cedars Youth Services for the Community Integration Team Program, in the amount of \$39,320. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0587)**

**MOTION:** Workman moved and Stevens seconded approval of a grant contract with Cedars Youth Services for the Community Integration Team Program, in the amount of \$39,320. Workman, Stevens and Schorr voted aye. Motion carried.

**G. A grant contract with Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$33,829. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0588)**

**MOTION:** Stevens moved and Workman seconded approval of a grant contract with Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$33,829. Schorr, Stevens and Workman voted aye. Motion carried.

**H. A grant contract with the Malone Community Center to assist in providing salaries and operating expenses for the Drug Education for Nebraska Students (DEFENS) Program and the Drug Education for Youth (DEFY) Project, an intensive year-long program for at least 25 ethnic minority high-risk youth, ages 9 to 12 years old, in the amount of \$25,000. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0589)**

**MOTION:** Workman moved and Stevens seconded approval of a grant contract with the Malone Community Center to assist in providing salaries and operating expenses for the Drug Education for Nebraska Students (DEFENS) Program and the Drug Education for Youth (DEFY) Project, an intensive year-long program for at least 25 ethnic minority high-risk youth, ages 9 to 12 years old, in the amount of \$25,000. Workman, Schorr and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- I. **An interlocal agreement with the City of Lincoln and United Way of Lincoln to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) Project. The City of Lincoln, United Way of Lincoln and Lancaster County, and the County will each pay \$40,000 of the total contract cost of \$120,000. Term of the agreement is July 1, 2005 to June 30, 2006. (C-05-0590)**

**MOTION:** Workman moved and Stevens seconded approval of an interlocal agreement with the City of Lincoln and United Way of Lincoln to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) Project. Workman, Stevens and Schorr voted aye. Motion carried.

- J. **An agreement between the State Court Administrator's Office and Lancaster County for reimbursement for 37 computers utilized by County employees in the District Court to access and operate Judicial Users System to Improve Court Efficiency (JUSTICE). The State Court Administrator's Office will reimburse the County at a rate of \$24 per computer, per month. The agreement is effective January 1, 2005. (C-05-0591)**

**MOTION:** Workman moved and Stevens seconded approval of an agreement between the State Court Administrator's Office and Lancaster County for reimbursement for 37 computers utilized by County employees in the District Court to access and operate Judicial Users System to Improve Court Efficiency (JUSTICE). Workman, Stevens and Schorr voted aye. Motion carried.

- K. **A catering agreement with the Cornhusker, A Marriott Hotel, to rent a room on January 23, 2006 to host a presentation on the Lancaster County Mental Health Jail Diversion Project. The County will pay \$525 for the room rental. Such cost will be paid from the Mental Health Jail Diversion Grant. (C-05-0596)**

**MOTION:** Stevens moved and Workman seconded approval of a catering agreement with the Cornhusker, A Marriott Hotel, to rent a room on January 23, 2006 to host a presentation on the Lancaster County Mental Health Jail Diversion Project. Stevens, Workman and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**L. Approval of a mini-grant application through the Nebraska Office of Highway Safety which would purchase six preliminary breath testing instruments at no cost to Lancaster County.**

**MOTION:** Workman moved and Stevens seconded approval of a mini-grant application through the Nebraska Office of Highway Safety which would purchase six preliminary breath testing instruments at no cost to Lancaster County. Workman, Schorr and Stevens voted aye. Motion carried.

**M. Acceptance of responsibility for maintenance of the Dietz and Evangelical abandoned pioneer cemeteries pursuant to Neb Rev. Stat. §12-807 (Reissue 1997).**

**MOTION:** Stevens moved and Workman seconded acceptance of responsibility for maintenance of the Dietz and Evangelical abandoned pioneer cemeteries pursuant to Neb Rev. Stat. §12-807 (Reissue 1997).

Kristy Mundt, Deputy County Attorney, clarified Neb. Rev. Stat. §12-807 (Reissue 1997) stating that the statute requires the County Board to expend monies from the General Fund for maintenance of abandoned pioneer cemeteries if they are petitioned by 35 adult residents within the County. She also referred to Neb. Rev. Stat. §12-805 which indicates the County Board may expend monies for the maintenance of abandoned pioneer cemeteries and also sets a dollar limit of not exceed \$500. Mundt stated no petition was received which leaves it to the discretion of the County Board whether they want to accept responsibility for maintenance of the two cemeteries.

Russell Shultz, Weed Control Superintendent, appeared and indicated signage would be installed at both cemeteries.

In response to a question asked by Workman regarding the location of the Dietz Cemetery, Shultz responded that it is located approximately one-half mile north of Firth.

Stevens added that the first burial at the Evangelical Cemetery was in 1874 and the last burial was in approximately 1966. The first burial at the Dietz Cemetery was in 1869 with the last burial in approximately 1922.

**ROLL CALL:** Workman, Stevens and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

**N. Approval of revised job descriptions for the following Lancaster County department heads and directors: Corrections Administrator, Youth Services Center Director, Nursing Home Administrator, Budget and Fiscal Officer, Emergency Management Director, Weed Control Superintendent, Human Services Administrator, County Veterans Service and General Assistance Officer, Building Administrator, Community Corrections Director, Mental Health Administrator and Chief Administrative Officer.**

**MOTION:** Stevens moved and Workman seconded approval of revised job descriptions for the following Lancaster County department heads and directors: Corrections Administrator, Youth Services Center Director, Nursing Home Administrator, Budget and Fiscal Officer, Emergency Management Director, Weed Control Superintendent, Human Services Administrator, County Veterans Service and General Assistance Officer, Building Administrator, Community Corrections Director, Mental Health Administrator and Chief Administrative Officer. Schorr, Workman and Stevens voted aye. Motion carried.

**O. Appointments and reappointment of the following individuals to the Lancaster County Extension Board for three year terms beginning January, 2006:**

- ▶ **John J. Chess, with the Lincoln-Lancaster County Health Department (new appointment)**
- ▶ **Kendra Penrod, with Lincoln Public Schools (new appointment)**
- ▶ **Oscar Rios Pohirieth, with Lincoln Public Schools (reappointment)**

**MOTION:** Stevens moved and Workman seconded approval of appointments and reappointment of the following individuals to the Lancaster County Extension Board for three year terms beginning January, 2006: John J. Chess, with the Lincoln-Lancaster County Health Department; Kendra Penrod, with Lincoln Public Schools and Oscar Rios Pohirieth, with Lincoln Public Schools. Stevens, Workman and Schorr voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. County Clerk's Monthly Report for November, 2005.

**B. Setting of public hearings for Tuesday, December 20, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:**

1. County Final Plat No. 05002, Mustang Ridge Addition, requested by Brian D. Carstens and Associates on behalf of Aspen Builders, for four lots, on property generally located southeast of the intersection of Northwest 27<sup>th</sup> Street and West Agnew Road in Lancaster County, Nebraska.

2. County Board of Zoning Appeals No. 05002, requested by Architectural Design Associates, for a variance of the parking required from 209 stalls to 12 stalls on property generally located at 290 South 134<sup>th</sup> Street in Lancaster County, Nebraska.

**C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:**

- ▶ Jason L. Minchow on Davey Road west of North 84<sup>th</sup> Street; Project C.P.B-301. This is a donation. (C-05-0592)
- ▶ Jerry L. and Martha A. Minchow on Davey Road west of North 84<sup>th</sup> Street; Project C.P.B-301. This is a donation. (C-05-0593)
- ▶ Donna K. Pospisil, in the total amount of \$255, on West Princeton Road one-half mile east of Southwest 58<sup>th</sup> Street; Project C.P.W-248. (2 contracts) (C-05-0594 and C-05-0595)

**MOTION:** Stevens moved and Workman seconded approval of the Consent Items. Stevens, Schorr and Workman voted aye. Motion carried.

8) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 1:56 p.m.. Workman, Schorr and Stevens voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, DECEMBER 06, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Deb Schorr, Vice Chair  
Ray Stevens  
Bob Workman

Commissioners Absent: Larry Hudkins, Chair  
Bernie Heier

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 1:56 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 29, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated November 29, 2005. Schorr, Stevens and Workman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 91 additions and deductions to the tax assessment rolls per Attachment "A".**

**MOTION:** Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Schorr and Stevens voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Transfiguration, Inc.**  
**Vital Services, Inc.**

**MOTION:** Workman moved and Stevens seconded approval of the motor vehicle exemptions. Workman, Stevens and Schorr voted aye. Motion carried.

4) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Equalization meeting at 1:58 p.m.. Workman, Stevens and Schorr voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk